

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**RUSH ARTIE STREET**

**v.**

**METROPOLITAN LIFE INSURANCE  
COMPANY**

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**CIVIL ACTION NO. 2:05cv363**

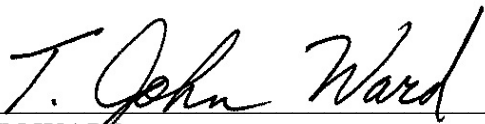
**ORDER**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. §636. The Report of the Magistrate Judge which contains his proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration. No objections to the Report and Recommendation were filed. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court.

Accordingly, it is

ORDERED Defendant, Texas Utilities Service, Inc.'s, Motion to Dismiss (Doc. #8) is  
GRANTED.

SIGNED this 13th day of February, 2006.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE